

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

HOMESTEADERS LIFE COMPANY,  
a foreign corporation,

Plaintiff,

v.

CIVIL ACTION NO. 3:15-12544

GATENS-HARDING FUNERAL HOME, INC.,  
a West Virginia corporation,  
CHAD R. HARDING, an individual, and  
BILLIE J. HARDING, an individual,

Defendants.

**JUDGMENT ORDER**

On May 2, 2016, came the Plaintiff, Homesteaders Life Company, by counsel, and moved the Court to strike the Answers filed by the Defendants, Gatens-Harding Funeral Home, Inc., Chad R. Harding, and Billie J. Harding, in the above-styled case and for default judgment against Defendants, jointly and severally. The Court, having carefully considered the facts and matters set forth in Plaintiff's Motion (ECF No. 28), the Memorandum of Law in support thereof (ECF No. 29), and such other pleadings and papers pertinent thereto, granted said Motion and ordered that Defendants' Answers be stricken from the record and that default judgment be granted in favor of Plaintiff and against Defendants, jointly and severally. June 28, 2016 Order, ECF No. 38. The Court further ordered that Plaintiff submit any documents and other evidence in support of its sum certain of damages. *Id.*

On July 11, 2016, pursuant to the Court's Order and Federal Rule of Civil Procedure 55, Plaintiff moved the Court for entry of this Judgment Order and, in support thereof, submitted an

affidavit and other pertinent documents, certain of which were provided under seal given the confidential nature of their contents. ECF Nos. 40-1–40-3, 41-1–40-8. The Court, having carefully considered said affidavit and documents, and having found the same to amply support Plaintiff's request for a sum certain of those damages prayed for in its Complaint, enters Judgment as follows:

1. Judgment is entered in favor of the Plaintiff, Homesteaders Life Company, and against the Defendants, Gatens-Harding Funeral Home, Inc., Chad R. Harding, and Billie J. Harding, jointly and severally, in the amount of Two Million Seven Hundred Fifty-seven Thousand Eight Hundred Sixty-two Dollars and Thirty-two Cents (\$2,757,862.32) for treble damages as permitted by 18 U.S.C. § 1964(c).

2. Judgment is entered in favor of the Plaintiff, Homesteaders Life Company, and against the Defendants, Gatens-Harding Funeral Home, Inc., Chad R. Harding, and Billie J. Harding, jointly and severally, in the amount of Sixty-eight Thousand Seven Hundred Six Dollars and Eleven Cents (\$68,706.11) for attorney fees and costs, as permitted by 18 U.S.C. § 1964(c), Rule 54(d) of the Federal Rules of Civil Procedure, and applicable West Virginia law.

3. Judgment is entered in favor of the Plaintiff, Homesteaders Life Company, and against the Defendants, Gatens-Harding Funeral Home, Inc., Chad R. Harding, and Billie J. Harding, jointly and severally, in the amount of Fifty-seven Thousand Five Hundred Eighty-six Dollars and Ninety-two Cents (\$57,586.92) for prejudgment interest at the legal rate.

4. The Court directs the entry of final judgment as aforesaid.

5. The Order of Prejudgment Attachment previously entered in this action on January 13, 2016, and any and all liens, preferences, and priorities created thereby, are fully incorporated herein by reference and made a part hereof, such that any and all liens, preferences, and priorities

created by this Judgment shall be deemed to relate back in time to, and be considered effective as of, January 13, 2016.

Pursuant to Rule 58 of the Federal Rules of Civil Procedure, the Clerk of this Court is **DIRECTED** to enter judgment in the civil docket as provided by Rule 79(a) of the Federal Rules of Civil Procedure and also to mail a certified copy of this Order to all counsel of record.

ENTER: August 8, 2016

  
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ROBERT C. CHAMBERS, CHIEF JUDGE